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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DERRELL SMITH,

Plaintiff,

- against -

MIDLAND CREDIT MANAGEMENT, INC.,

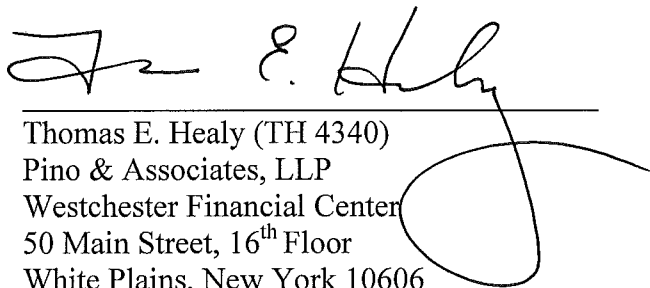
Defendant.
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Civil Action No.: 08-CV-4700 (RMB)(DF)

**DEFENDANT, MIDLAND CREDIT
MANAGEMENT, INC.'S RULE 7.1
STATEMENT**

Pursuant to Federal Rule of Civil Procedure 7.1 and to enable District Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, the undersigned counsel for Defendant, MIDLAND CREDIT MANAGEMENT, INC. (a private non-governmental party) certifies that it is a wholly owned subsidiary of Encore Capital Group, Inc. Although MIDLAND CREDIT MANAGEMENT, INC. is not a publicly held or traded company, Encore Capital Group, Inc. is a publicly held company. Encore Capital Group, Inc. trades under the NASDAQ symbol ECPG.

Dated: White Plains, New York
July 2, 2008



Thomas E. Healy (TH 4340)
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Attorneys for Defendant

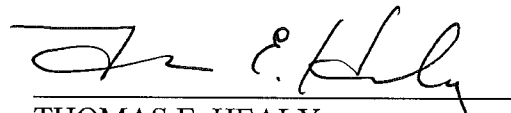
MIDLAND CREDIT MANAGEMENT, INC.

TO: Novlette R. Kidd, Esq. (NK2552)(Via Regular U.S. Mail and Facsimile)
FAGENSON & PUGLISI
450 Seventh Avenue
Suite 3302
New York, New York 10123
Telephone: (212) 268-2128
Attorney for the Plaintiff
DARRELL SMITH

CERTIFICATE OF SERVICE

Thomas E. Healy, certifies under penalty of perjury, that I am not a party to this action, I am over 18 years of age and reside in Yonkers, New York. That on the 2nd day of July, 2008, I served the attached **DEFENDANT, MIDLAND CREDIT MANAGEMENT, INC.'S RULE 7.1 STATEMENT** via Regular First Class U.S. Mail and Facsimile upon:

Novlette R. Kidd, Esq. (NK2552)
FAGENSON & PUGLISI
450 Seventh Avenue
Suite 3302
New York, New York 10123



THOMAS E. HEALY

